

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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DATE FILED: 1/10/20.

PATRICIO NUNO CARRERA and
GERALDO MARQUEZ, *on behalf of
themselves, individually, and on behalf of all
similarly situated employees,*

Plaintiffs,

v.

DT HOSPITALITY GROUP INC. *doing
business as* CO BA RESTAURANT and
KIEN TRUONG,

Defendants.

No. 19-CV-4235 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

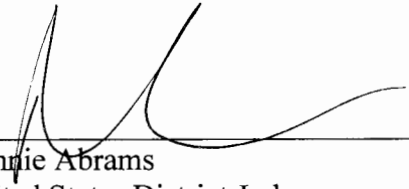
Defendant Truong has been repeatedly advised that, although he may choose to proceed individually *pro se*, he must obtain separate counsel to represent Defendant DT Hospitality Group Inc. in this action. *See Grace v. Bank Leumi Trust Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (“[A] corporation may not appear in a lawsuit against it except through an attorney.”); *SEC v. Pentagon Capital Mgmt. PLC*, No. 08 Civ. 3324(RWS), 2012 WL 3065981, at *4 (S.D.N.Y. July 25, 2012) (“It is well-established that a corporation cannot represent itself in a civil action.”) (citing *Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983)); *see also* Dkts. 16, 17, 18. Most recently, on December 4, 2019, the Court ordered Defendant Truong to inform it, by December 23, 2019, whether he has obtained separate counsel for Defendant DT Hospitality Group Inc., and warned that if he fails to do so, Plaintiffs may move for default against DT Hospitality Group Inc. To date, the Court has not received any response from Defendants. Accordingly, no later than January 17, 2020, Plaintiffs shall inform the Court

whether they intend to move for default judgment.

The Clerk of Court is respectfully directed to mail this Order to Defendants.

SO ORDERED.

Dated: January 10, 2020
New York, New York



Ronnie Abrams
United States District Judge